Legal Developments in EU countries

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Technical harmonization in EU during the Czech Presidency

The Office presided the following dossiers (1.7.-31.12.2009)

- Proposal for a Regulation of the European Parliament and of the Council on cosmetic products (recast) – 1st reading agreement has been reached
Technical harmonization in EU during the Czech Presidency

- Proposal for a Regulation of the European Parliament and of the Council laying down harmonized conditions for the marketing of the construction products — passed to the following Swedish presidency
- Proposal for a Regulation of the European Parliament and of the Council on textile names and related labeling of textile products — passed to the following Swedish presidency
- Proposal for a regulation of the European Parliament and of the Council concerning type-approval requirements for the general safety of motor vehicles — 1st reading agreement has been reached (CZ Permanent Representation presided)
- Proposal for a decision on EC participation in the European Metrology Research and Development Programme undertaken by several Member States — 1st reading agreement has been reached (COSMT participated in negotiations)
Summary

In the period of January to June 2009 the Office held:

- 33 formal WG G7 meetings (one/two-day),
- 2 informal WG meetings,
- 3 meetings at „Attachés“ level,
- 10 technical meetings and
- 4 informal trialogues together with the European Parliament.
CURRENTLY UNDER DISCUSSION

CONSTRUCTION PRODUCTS

Proposal for a Regulation of the European Parliament and of the Council laying down harmonized conditions for the marketing of the construction products

State of play


Key issues

Article 4 declaration of performance

1. When a construction product is covered by a harmonised standard or a European Technical Assessment has been issued for it, the manufacturer shall draw up a declaration of performance when such a product is placed on the market.

State of play

- compromise text has been supported by qualified majority (i.e. the repealing only some of the 8 Directives and including the remaining under MID; postponing the date of repealing when the revision of MID is supposed to be completed and it is obvious whether there is a real need to include the relevant measuring instruments under MID.
- informal discussions with the European Parliament are under way in order to reach the agreement in the 1st reading. Indicative date of the 1st reading is 22.11.2010.

Key items

- obligation to include the developed correlation tables into the text of the Proposal (key item for EP)
- EC pattern approval (to make clear the date for repealing the directive concerned)
CURRENTLY UNDER DISCUSSION

TEXTILE

Proposal for a Regulation of the European Parliament and of the Council on textile names and related labelling of textile products
- simplification and improvement of the existing regulatory framework for the development and uptake of novel fibres, encouragement of innovation in the textile and clothing sector

State of play

- political agreement on the main principles of the proposal has been reached (i.e. not to extend at this stage the scope of mandatory labelling requirements) which would lead to time-consuming discussions and could therefore jeopardize the main aim of the proposal to simplify and improve the existing regulatory framework

- informal discussions with the European Parliament are under way - results of the European Parliament 1st reading are out of accord with the Council position

Key items

- Country – of – origin marking
- animal derived products marking
- information on potential allergies
- range of product for which the labelling is not mandatory
CURRENTLY UNDER DISCUSSION
MOTOR VEHICLES

Proposal for a Regulation of the European Parliament and of the Council on the approval of agricultural or forestry vehicles

- harmonisation of the rules on the manufacture of agricultural and forestry vehicles (tractors, trailers and towed equipment), simplification and better regulation, enhancing the safety of vehicles by introducing requirements for all categories

ён State of play

- under discussion at the Council working party level (as of 8th September)

Key items

- has not been identified yet
CURRENTLY UNDER DISCUSSION
MOTOR VEHICLES
Proposal for a European Parliament and Council Regulation
on the approval and market surveillance of two- or three-wheel vehicles and quadricycles

- complexity of the legal framework for L-category vehicles, harmonization of the type-approval requirements, alignment with the regulatory framework for other vehicles

-State of play
- Commission presented its proposal at the Working party on 14th October
- discussion has not been started yet

-Key items
- has not been identified yet
EU TECHNICAL LEGISLATION UNDER PREPARATION

Review of the European Standardization System

The main goals

- Avoiding new barriers to trade
- Improving access to harmonized standards
- Improving stakeholders access to the standards development process
- Improving Member State involvement in the EU standardization process
- Integration of WTO/TBT principles
- Strengthening the international impact of EU standardization
- Improving the transparency and credibility of European Standardization
State of play

- The legislative proposal is under preparation at the Commission level
- Submission to the Council and European Parliament is expected in the first half of the next year
- The European Parliament has already presented its opinion
  
  - welcomes the Commission’s intention
  - emphasised that the proposed review should build on the strengths of the existing System
  - does not agree with a number of policy options contained in the Commission's impact assessment study which would result in a complete overhaul of the system.
EU TECHNICAL LEGISLATION UNDER PREPARATION

New Legislative Framework for the marketing of products: Proposal to align ten product harmonisation directives to Decision 768/2008

The intention is to present a package of ten individual recast proposals that will be accompanied by a „chapeau“ communication.

State of play

• Commission’s sector specific expert groups have already discussed the aligned versions

• In general, there is overall support for the alignment exercise, however, certain adaptations on various parts are considered necessary for almost all directive.
EU TECHNICAL LEGISLATION UNDER PREPARATION

Directives forming part of the alignment package

- Directive 2006/95/EEC on the harmonisation of the laws of Member States relating to electrical equipment designed for use within certain voltage limits
- Civil Explosives Directive: Council Directive 93/15/EEC on the harmonisation of the provisions relating to the placing on the market and supervision of explosives for civil use
EU TECHNICAL LEGISLATION UNDER PREPARATION

Directives forming part of the alignment package

Thank you for your attention
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